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13
 14 **UNITED STATES DISTRICT COURT**
DISTRICT OF NEVADA

15 FEDERAL TRADE COMMISSION; and
 16 STATE OF NEVADA,

17 Plaintiffs,
 18

19 v.
 20

21 INTERNATIONAL MARKETS LIVE INC.,
 22 a corporation, also d/b/a IYOVIA,
 23 iMarketsLive, IM Mastery Academy, and IM
 24 Academy; IM MASTERY ACADEMY
 25 LTD., f/k/a International Markets Live Ltd., a
 26 United Kingdom company; ASSIDUOUS,
 27 INC., a corporation; GLOBAL DYNASTY
 28 NETWORK, LLC., a limited liability
 company; CHRISTOPHER TERRY,
 individually and as an owner and officer of
 International Markets Live Inc.; ISIS
 TERRY, fka ISIS DE LA TORRE,
 individually and as an owner and officer of
 International Markets Live Inc., IM Mastery
 Academy Ltd., and Assiduous, Inc.; JASON
 BROWN, individually and as an officer of
 International Markets Live Inc. and as a
 member of Global Dynasty Network, LLC;
 ALEX MORTON, individually and as an
 officer of International Markets Live Inc.;

Case No.: 2:25-cv-00760-CDS-NJK

REPLY IN SUPPORT OF
MOTION TO EXTEND DEADLINE
TO RESPOND TO
MOTION FOR PRELIMINARY
INJUNCTION (ECF No. 42)
(Second Request)

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 LAS VEGAS, NV 89134

1 MATTHEW ROSA, individually and as a
 2 member of Global Dynasty Network, LLC;
 3 and BRANDON BOYD,

3 Defendants.

4 Defendants INTERNATIONAL MARKETS LIVE INC. (“IML”), IM MASTERY
 5 ACADEMY LTD. (“IM Academy”), ASSIDUOUS, INC. (“Assiduous”), CHRISTOPHER TERRY
 6 (“Mr. Terry”), and ISIS TERRY (“Ms. Terry”) (collectively, as “Moving Defendants”), by and
 7 through their undersigned counsel of record, the law firms of Holland & Hart LLP and Kerr Simpson
 8 Attorneys at Law, and pursuant to Rule 6(b)(1) of the Federal Rules of Civil Procedure (“FRCP” or
 9 “Rule”), hereby respectfully submit this timely *Reply* (the “Reply”) in support of *Motion to Extend*
 10 *Deadline* (the “Motion to Extend”; ECF No. 50) to respond to the *Motion for Preliminary Injunction*
 11 (the “PI Motion”; ECF No. 42), filed May 30, 2025, by Plaintiffs FEDERAL TRADE
 12 COMMISSION (the “FTC”) and STATE OF NEVADA (the “State” and collectively, with FTC, as
 13 “Plaintiffs”), and in advance of the current deadline (June 27, 2025), requesting a 90-day
 14 extension—to **September 25, 2025**. This is the first motion, but the second request (see SAO to
 15 Extend, ECF Nos. 47, 52), to extend the deadline to respond to the PI Motion. This Reply is made
 16 and based upon the pleadings and papers on file herein, the below Memorandum of Points and
 17 Authorities, and any oral argument that this Court allows at the time of any hearing scheduled on
 18 the Motion(s).

19 DATED this 18th day of June 2025.

20 HOLLAND & HART LLP

21 */s/ Lars K. Evensen*

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MEMORANDUM OF POINTS AND AUTHORITIES

2 I. INTRODUCTION & ARGUMENT¹

3 For good cause appearing, the Court should extend the deadline to respond to Plaintiffs' PI
4 Motion by 90 days—to **September 25, 2025**. This is particularly true given that Plaintiffs' Response
5 lacks any cogent argument for why the instant Motion to Extend (ECF No. 50) should not be granted.
6 *See generally* Resp. (ECF No. 57).

7 As Plaintiffs are well aware, “in the Ninth Circuit, ‘in [the] absence of bad faith on the part
8 of the party seeking relief or prejudice to the adverse party,’ requests for extensions made before the
9 applicable deadline has passed should normally be granted.” *Dickson v. Nevada*, No. 2:21-cv-
10 00999-JAD-EJY, 2025 U.S. Dist. LEXIS 44422, at *8 (D. Nev. Mar. 12, 2025) (quoting *Ahanchian*
11 *v. Xenon Pictures, Inc.*, 624 F.3d 1253, 1259 (9th Cir. 2010)) (alteration in original). Here, this
12 Motion to Extend (ECF No. 50) is timely filed in advance of the applicable deadline (June 27, 2025),
13 is made in good faith and not for any improper purposes or delay, and no prejudice to Plaintiffs
14 results from the granting of this Motion to Extend.

15 The instant Motion is seeking a reasonable extension so that defendants have adequate time
16 to fully respond to the PI Motion. Plaintiffs do not argue that 90 days is an unreasonable amount of
17 time. In fact, Plaintiffs were more than willing to give Defendants Global Dynasty, Brown, and
18 Rosa 90 days. (ECF Nos. 46, 58). Nonetheless, Plaintiffs have gone to great lengths to ensure that
19 Moving Defendants are not given any more than two weeks to respond to the accusations set forth
20 in the PI Motion and the extensive, all encompassing injunctive relief sought by the FTC.²

22 ¹ As an initial matter, the Court should strike Plaintiffs' *Consolidated Response (1) Motion to*
23 *Extend Deadline to Respond to Motion for Preliminary Injunction and (2) Motion For Rule 16*
24 *Conference (ECF Nos. 50, 53, 54, 56)* (ECF No. 57) as it fails to comply with LR IC 2.2(b) ("For
25 each type of relief requested or purpose of the document, a separate document must be filed and a
separate event must be selected for that document."). In so doing, Plaintiffs group together their
arguments, making it needlessly difficult to decipher what points and arguments go to which
motion.

26 ² As set forth in the Motion to Extend, Plaintiffs steadfastly refused to extend the response deadline
27 beyond 14 days (from June 13th to June 27th), which were essentially spent on negotiating,
28 drafting/revising, and obtaining approval of counsel for all parties for the SAO (ECF No. 47),
followed by the filing on the instant Motion to Extend (ECF No. 50) so that the issue could be
presented to the Court and hopefully adjudicated prior to the expiration of the current June 27th
deadline. *See, e.g., Corral v. Nat'l Consumer Telecom & Utils. Exch., Inc.*, No. 2:25-cv-00019-

1 Particularly unavailing are Plaintiffs' feigned outcries of prejudice, which essentially can
 2 be summed up as "because, the sooner, the better." *See, e.g.*, Resp. (ECF No. 57 at 8). But the Court
 3 has yet to set a hearing date for the PI Motion; nor did Plaintiffs find the circumstances so urgent as
 4 to warrant moving for a TRO.

5 The fact that "Plaintiffs submitted 1,794 pages from IML's compliance database" (ECF
 6 No. 57 at 6) ignores the remaining 5,134 pages attached to Plaintiffs' PI Motion (ECF No. 42) at
 7 issue, which includes a 564-page expert report (ECF No. 42-23) and 12 videos (ECF No. 43).
 8 Further, the 1,794 pages is out of millions of pages amounting to terabytes worth of data that was
 9 produced to the FTC in response to the CIDs—FTC's argument that defendants should be able to
 10 guess which documents the FTC was going to attach to its PI Motion is simply nonsensical.

11 Similarly meritless is Plaintiffs' argument that additional time should not be granted to
 12 defendants because Plaintiffs sent a copy of the complaint to defendants months ago (ECF No. 57 at
 13 8). Plaintiffs' Response merely opines that defendants should be able to respond in the given time,
 14 which is not the non-rigorous, "good cause" standard applicable. *See Ahanchian v. Xenon Pictures,*
 15 *Inc.*, 624 F.3d 1253, 1259 (9th Cir. 2010). In effect, Plaintiffs suggest defendants should have been
 16 clairvoyant in knowing the contents of Plaintiffs' PI Motion as well as the supporting information
 17 Plaintiffs' would have attached, including information that was produced by third parties and other
 18 defendants.

19 Plaintiffs' speculations do not constitute good cause for denying the reasonable extension
 20 requested. Plaintiffs speculate that "the sooner a preliminary injunction is granted requiring
 21 Defendants to preserve such data, the higher the chance that such relevant information will be
 22 preserved." (ECF No. 57 at 10). Plaintiffs apply self-serving speculation, that Moving Defendants
 23 are not preserving data, to justify their Response. Similarly, Plaintiffs' speculations as to Individual
 24 Defendants' spending and the financial condition of Moving Defendants are not good cause to deny
 25 a reasonable extension. (ECF No. 57 at 10).

26 Preliminary injunctions are to preserve the status quo, which is not what Plaintiffs are
 27

28 JCM-MDC, 2025 U.S. Dist. LEXIS 70516, at *3 (D. Nev. Apr. 10, 2025) ("Generally, 'good cause'
 is equated with diligence.").

1 attempting to do. *See, e.g., Stanley v. Univ. of S. California*, 13 F.3d 1313, 1320 (9th Cir. 1994) (“A
 2 prohibitory injunction preserves the status quo.”); *Gladwill v. Ruby Pipeline, LLC*, No. 3:11-CV-
 3 00251-RCJ, 2013 WL 144268, at *7 (D. Nev. Jan. 10, 2013) (“Where the purpose of the injunction
 4 is to require affirmative acts, or a mandatory injunction, the court should exercise restraint and
 5 caution when considering such a request. Mandatory injunctions, which disrupt the status quo, are
 6 particularly disfavored and subject to a greater degree of scrutiny.” (internal citation omitted)).

7 Tellingly absent from Plaintiffs’ Response any attempt to address the fact that Plaintiffs
 8 have sought a 60-day stay all deadlines with respect to Defendants Global Dynasty, Brown, and
 9 Rosa (ECF No. 46) so that “the FTC can seek Commission approval of a proposed stipulated final
 10 order for permanent injunction and monetary judgment to resolve all Plaintiffs’ claims as to the GDN
 11 Defendants” (ECF No. 46 at 2), seeking 30 days for those defendants to respond should the
 12 settlement be rejected—*i.e.*, the same 90-day period being sought here. Certainly, this request
 13 creates a potential mismatch in the preliminary injunction timeline; do Plaintiffs anticipate one
 14 preliminary injunction hearing for certain defendants and another for Defendants Global Dynasty,
 15 Brown, and Rosa?

16 Notably, during this interim period, Plaintiffs have not sought a corresponding preliminary
 17 injunction against Defendants Global Dynasty, Brown, and Rosa, which calls into question whether
 18 and to what extent the requested preliminary injunction is really meant to preserve the status quo.

19 In sum, Moving Defendants seek a reasonable extension well in advance of the current
 20 June 27th deadline and good cause exists to grant the requested extension so as to afford Moving
 21 Defendants sufficient time to fully and adequately respond to Plaintiffs’ PI Motion.

22 **II. CONCLUSION**

23 Based on the foregoing, IML, IM Academy, Assiduous, Mr. Terry, and Ms. Terry
 24 respectfully request that the Court grant the instant Motion to Extend (ECF No. 50) and, for good
 25 cause appearing, allow a 90-day extension to the deadline to respond to Plaintiffs’ 61-page PI
 26 Motion—to **September 25, 2025**. Alternatively, should the Court not be inclined to grant the
 27 requested 90-day extension, good cause exists to warrant, at minimum, a 60-day extension—to
 28 **August 11, 2025**—the same period in which Plaintiffs have sought to stay the deadlines as to

1 Defendants Global Dynasty, Brown, and Rosa (ECF Nos. 46, 58) without seeking a corresponding
2 preliminary injunction against them for the interim period.

3 DATED this 18th day of June 2025.

4 HOLLAND & HART LLP

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CERTIFICATE OF SERVICE

I hereby certify that on the 18th day of June 2025, a true and correct copy of the foregoing

REPLY IN SUPPORT OF MOTION TO EXTEND DEADLINE TO RESPOND TO MOTION

4 FOR PRELIMINARY INJUNCTION (ECF NO. 42) (Second Request) was served by the

5 following method(s):

6 Electronic: by submitting electronically for filing and/or service with the United States
7 District Court, District of Nevada's e-filing system and/or served on counsel
electronically in accordance with the E-service list to the following email addresses:

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